

REMARKS

Claims 1-18 were examined and reported in the Office Action. Claims 1-18 are rejected. Claims 1 and 10 are amended. New Claims 19-30 are added. Claims 1-30 are now pending.

Applicant requests reconsideration of the application in view of the above amendments and following remarks.

In the above claim amendments, Applicant has amended Claims 1 and 10 to provide clarity to what the term “time duration” is intended to mean. Approval is respectfully requested.

It is asserted in the Office Action that Claims 1-9 are rejected under 35 USC 102(e) as being anticipated by Boston et al. (US 7212730 B2). In response, Applicant notes that the Examiner contends that Boston teaches determining the preferred duration and the preferred program in the preferred duration based on usage history of the PDR, with specific reference to column 5, lines 50-67 and column 6, lines 1-54. In this connection, the Examiner appears to equate Applicant’s claimed usage history with Boston et al.’s user profile. However, the user profile, to the extent it includes DVR (i.e., PDR) preference data which, for example is shown in Figures 3 and 4, relates to DVR preferences such as partial program or high-quality recordings, and user preferences such as rating, program names, genre, actors and directors. This is to be distinguished from Applicant’s usage history which is based upon programs actually watched by the user and the time the program was actually watched. This information is used to output preferred programs on a personal channel at the desired time. Therefore, Boston et al. does not teach or suggest utilizing usage history, as that term is defined by Applicant, to record programs for subsequent viewing. Accordingly, reconsideration and withdrawal of the rejection of Claims 1-9 under 35 USC 102(e) as being anticipated by Boston et al. (US 7212730 B2), is respectfully requested.

It is asserted in the Office Action that Claims 10-18 as being anticipated by Gogoi et al., it is noted that Gogoi et al. does seem to record programs based upon a usage history similar to that of the Applicant. However, the independent claims call for informing the user that preferred programs are outputted on a personal channel at a preferred time. Thus, by selecting the personal channel, the user is able to watch desired programming at desired times. While Gogoi will apparently record desired programs based upon viewing history, Gogoi does not appear to teach

or suggest the concept of a personal channel as defined, disclosed and claimed by Applicant.
See, for example, step c) of Claim 1, and the last element of Claim 10

Accordingly, reconsideration and withdrawal of the rejection of Claims 10-18 under 35 USC 102(e) as being anticipated by Gogoi et al. (US 2002/0199193 A1), is respectfully requested.

Added Claims 19-30 incorporate similar limitations not taught by the prior art.

Applicant respectfully asserts that claims 1-30, as they now stand, are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

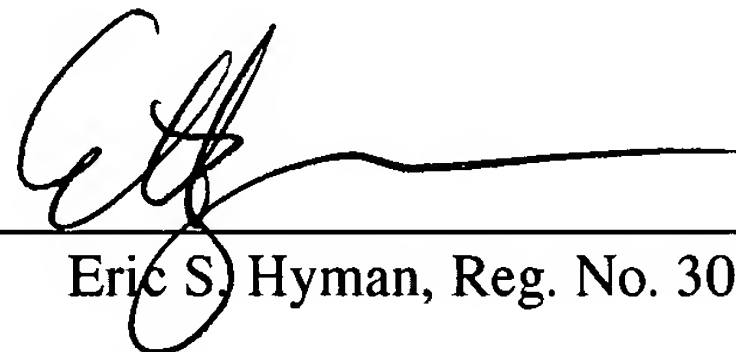
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated:

12/17/07

By:



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CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class Mail, With Sufficient Postage, In An Envelope Addressed To: Mail Stop Amendments, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450


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